

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

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REGGIE WHITE, *et al.*, :
 :
 : Plaintiffs, :
 : No. 4:92-cv-00906-DSD
vs. :
 :
 : NATIONAL FOOTBALL LEAGUE, *et al.*, :
 :
 : Defendants. :
 :
----- X

AFFIDAVIT OF BARBARA PODLUCKY BERENS

STATE OF MINNESOTA)
) SS
COUNTY OF HENNEPIN)

Barbara Podlucky Berens, being first duly sworn, states as follows:

1. I am a partner in the law firm of Berens & Miller, P.A., one of the law firms representing defendants in the above-captioned matters. I make this Affidavit upon my own personal knowledge and in support of the Petition to Reopen and Enforce Stipulation and Settlement Agreement made by the National Football Players Association (“NFLPA”) and Class Counsel.

2. Attached as Exhibit 1 hereto is a true and correct copy of excerpts, including Article 3, from the new Collective Bargaining Agreement entered into by the NFLPA and NFL, dated August 4, 2011.

3. Attached as Exhibit 2 hereto is a true and correct copy of the Arbitrator's Opinion and Award from the Arbitration between *The National Football League Players Association and The National Football League Management Counsel* dated June 8, 2012.

4. Attached as Exhibit 3 hereto is a true and correct copy of the Pre-Hearing Brief of the NFL Management Council from the Arbitration between *The National Football League Players Association and The National Football League Management Council* dated May 14, 2012.

5. Attached as Exhibit 4 hereto is a true and correct copy of the Settlement Agreement in *Brady v. National Football League, et al.*, dated July 25, 2011.

FURTHER YOUR AFFIANT SAYETH NOT.

s/Barbara Podlucky Berens
Barbara Podlucky Berens

Subscribed and sworn to before
me this 23rd of August, 2012.

s/Nicole Ann McCormick
Notary Public